

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

EDWARD A. GIVEN
Petitioner,

V.

ROBERT MURPHY,
Respondent

CIVIL ACTION
NO. 05-11663-NMG

MOTION TO WITHDRAW APPEARANCE OF COUNSEL

David Hirsch respectfully moves this Court for leave to withdraw his appearance as counsel for petitioner Edward A. Given in the above-captioned case. As grounds for this motion, petition refers the Court to the attached affidavit of counsel.

Respectfully submitted,

DAVID HIRSCH
BBO #600915
COMMITTEE FOR PUBLIC
COUNSEL SERVICES
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Boston, Massachusetts 02108
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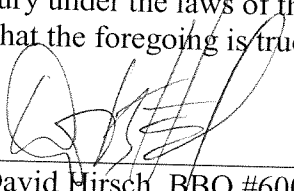
AFFIDAVIT OF DAVID HIRSCH

1. I am counsel for petitioner Edward A. Given in the above-captioned case.
2. I will be leaving my job with the Committee for Public Counsel Services (“CPCS”) as of December 22, 2006 in order to accept new employment with the

New Hampshire Public Defender. I will thus be unable to continue representing Mr. Given.

3. Attorney Michael Nam-Krane, a member of the bar of this Court, has advised me that he will accept appointment from CPCS to replace me as Mr. Given's attorney in this case in the event that this Court grants Mr. Given's Motion to Enlarge Time for Filing Memorandum of law, filed with this court yesterday.
4. Assistant Attorney General Scott Katz, counsel for respondent Robert Murphy, has advised me that he has no objection to Mr. Given's Motion to Enlarge Time.
5. CPCS Chief Counsel William Leahy has approved the appointment of Mr. Nam-Krane as counsel for Mr. Given in this matter.

I hereby certify under penalties of perjury under the laws of the United States and the Commonwealth of Massachusetts that the foregoing is true and correct to the best of my knowledge and belief.



David Mirsch, BBO #600915